



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/643,663

08/19/2003

Andrew Hausman

3524/180

5760

20999 7590 09/19/2007
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

WEIS, SAMUEL

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

09/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/643,663

Applicant(s)

HAUSMAN, ANDREW

Examiner

Samuel S. Weis

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8-20-03;3-1-04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicant's application filed August 20, 2003. Claims 1-16 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Potter et al., U.S. Pat. No. 5,787,402 (hereinafter, Potter).

As to claims 1, 13, and 14, Potter discloses a method, system, and computer program of providing to users of an electronic trading system opportunities for currency exchange related to transactions in other financial interests, the method comprising presenting, at a user station of the electronic trading system associated with an order for a trade in a non-currency financial interest comprising a price term expressed in a first currency, terms for a proposed transaction in at least two currencies, the at least two currencies comprising the first currency and the proposed transaction executable by entry of one or more commands at the user station (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 2, Potter discloses the method of claim 1, wherein the at least two currencies include at least one currency associated as a default with the user station as a preferred currency (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 3, Potter discloses the method of claim 1, wherein the terms for the proposed transaction include a quantity related to the price term expressed in the first currency (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 4, Potter discloses the method of claim 1, wherein at least one of the terms for the proposed transaction is firm (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 5, Potter discloses the method of claim 1, wherein the presenting of terms for a proposed transaction in at least two currencies is automatic (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 6, Potter discloses a method of providing to users of an electronic trading system opportunities for hedging transactions in financial interests, the method comprising presenting, at a user station of the electronic trading system associated with an order for a trade in a first financial interest, terms for a proposed transaction in a second financial interest, the proposed transaction executable by entry of one or more commands at the user station (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 7, Potter discloses the method of claim 6, wherein the terms for the proposed transaction include by default at least one of an identification of the second

Art Unit: 3691

financial interest, a quantity term, and a price term (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 8, Potter discloses the method of claim 7, wherein at least one of the default terms is negotiable prior to entry of an execution command at the user station (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 9, Potter discloses the method of claim 7, wherein at least one of the terms of the proposed transaction is not negotiable (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 10, Potter discloses the method of claim 6, wherein the first and second financial interests comprise at least one of present, future, and contingent interests in stocks, bonds, commercial paper, negotiable interests, debt instruments, commodities, and energy interests (col. 1, lines 39-48).

As to claim 11, Potter discloses the method of claim 6, comprising conditioning the presenting to the user an option to engage in a trade in a second financial interest upon a relationship between the first and second financial interests (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claim 12, Potter discloses the method of claim 1, wherein the presenting of terms for a proposed transaction in at least two currencies is automatic (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

As to claims 15 and 16, Potter discloses a system and computer program for electronic trading of financial interests over a computer network, the system comprising at least one computer for processing data related to trading of financial interests over

Art Unit: 3691

the computer network, a plurality of user stations for entry of orders for trades in financial interests, and programming stored on a computer readable medium or media that causes the at least one computer to present, at a user station associated with an order for a trade in a first financial interest, terms for a proposed transaction in a second financial interest, the proposed transaction executable by entry of one or more commands at the user station (See abstract, Figs. 1, 5, 15-24, and col. 7, line 10 – col. 8, line 60).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel S. Weis whose telephone number is (571) 272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3691

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samuel Weis



Stefanos Karmis